

# EXHIBIT

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1        IN THE UNITED STATES DISTRICT COURT 2        FOR THE WESTERN DISTRICT OF MISSOURI	1        INDEX OF EXAMINATION
3        KAREN BACKUES KEIL,        ) 4        Plaintiff,        ) 5        V.        ) Case No. 6        MHM SERVICES, INC., a        ) 5:18-CV-06074-BP 7        Virginia Corporation,        ) 8        JOHN DUNN, and EDWARD BEARDEN,        ) 9        Defendants.        )	3        Page 4        Questions by Mr. Ammann..... 6 5        Questions by Mr. Buchheit..... 123
10      IN THE UNITED STATES DISTRICT COURT 11      FOR THE WESTERN DISTRICT OF MISSOURI	6        INDEX OF EXHIBITS
12      LYNNSEY BETZ,        ) 13      Plaintiff,        ) 14      V.        ) Case No. 15      EDWARD BEARDEN, et al.,        ) 5:18-CV-06079-FJG 16      Defendants.        )	7        DEPOSITION EXHIBITS 8        Exhibit No. 1        PAGE 86 9        Exhibit No. 4        PAGE 71 10      Exhibit No. 5        PAGE 87 11      Exhibit No. 6        PAGE 90 12      Exhibit No. 9        PAGE 93 13      Exhibit No. 10        PAGE 94 14      Exhibit No. 11        PAGE 96 15      Exhibit No. 15        PAGE 98 16      Exhibit No. 19        PAGE 103 17      Exhibit No. 34        PAGE 110 18      Exhibit No. 36        PAGE 61 19      Exhibit No. 46        PAGE 116
20      ASHLEY ZIESER,        ) 21      Plaintiff,        ) 22      V.        ) Case No. 23      EDWARD BEARDEN, et al.,        ) 5:18-CV-06103-FJG 24      Defendants.        )	20      14 21      15 22      16 23      17 24      18 25      19 26      20 27      21 28      22 29      23 30      24 31      25
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1        IN THE UNITED STATES DISTRICT COURT 2        FOR THE WESTERN DISTRICT OF MISSOURI	1        APPEARANCES
3        TERI DEAN,        ) 4        Plaintiff,        ) 5        V.        ) Case No. 6        EDWARD BEARDEN, et al.,        ) 5:18-CV-06022-SRB 7        Defendants.        )	3        JOHN J. AMMANN 4        BRENDAN ROEDIGER 5        Saint Louis University Legal Clinic 6        100 North Tucker, Suite 704 7        St. Louis, MO 63101 8        314-977-2778
9        IN THE UNITED STATES DISTRICT COURT 10      FOR THE WESTERN DISTRICT OF MISSOURI	9        On Behalf of the Plaintiffs,
11      JANE DOE,        ) 12      Plaintiff,        ) 13      V.        ) Case No. 14      EDWARD BEARDEN,        ) 19-cv-6161BP 15      In his Individual Capacity, 16      Defendant.        )	10      NICOLAS TAULBEE 11      Office of the Attorney General 12      615 East 13th Street 13      Suite 401 14      Kansas City, MO 64106 15      816-889-5000
17      DEPOSITION OF VEVIA STURM 18      Taken on behalf of Plaintiffs	14      ZACHARY BUCHHEIT 15      CHRISTAL WANG 16      Office of the Attorney General 17      207 West High Street 18      Jefferson City, MO 65101 19      573-751-3321
20      The deposition of VEVIA STURM, a witness 21      called at the instance of the Plaintiffs, for 22      purposes of DISCOVERY taken on March 16, at 9:00 23      a.m., via Zoom, before Erikia Schuster, Illinois 24      Certified Shorthand Reporter No. 084-004660, 25      pursuant to notice.	20      On Behalf of the Defendants.

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<p>1      rules of deposition, but let's do a quick  2      reminder. If at any point you need a break, let  3      me know, okay?  4      A. Okay.  5      Q. If I ask you a question and you don't  6      understand, you'll let me know that you don't  7      understand; can you agree with that?  8      A. I will.  9      Q. If you answer a question, I'll assume  10     that you understood the question.  11     A. Correct.  12     Q. Is my volume okay? Can you hear me  13     all right?  14     A. I probably need to turn mine up, but  15     I'm not sure how to do that. I think I'm okay.  16     I'm going to have to be.  17     Q. The rest of you like Nick, the volume  18     is okay? All right.  19     Okay. Prior to this deposition, I  20     don't want to know what conversations you had  21     with your lawyers, but did you talk to anybody  22     else other than your lawyers to prepare for  23     today?  24     A. No.  25     Q. Did you review any documents either</p>	<p>1      A. Department of Corrections.  2      Q. What is your title?  3      A. PREA manager.  4      Q. How long have you held that post?  5      A. I've been the PREA coordinator since  6      January 1st, 2011. On June 1st, 2017, the  7      investigators moved under me, the PREA special  8      investigators moved under me, and I became the  9      PREA manager over the investigations and  10     compliance.  11     Q. You're going to have to help me here.  12     So what is the difference between PREA -- and  13     let's define some terms. When you say PREA, what  14     do you mean?  15     A. Prison Rape Elimination Act.  16     Q. Thank you. Tell me the difference  17     between what you did as PREA manager with what  18     you did as PREA coordinator.  19     A. As PREA coordinator, I implemented  20     the PREA standards which are federal regulations  21     within the Department of Corrections within our  22     facilities. I oversaw compliance issues, audits  23     to make sure we stayed in compliance with PREA  24     standards. As PREA manager, I still have the  25     compliance piece, I also oversee and supervise</p>
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<p>1      electronically or physically to prepare for  2      today?  3      A. I reviewed the case on Dunn.  4      Q. Okay. Did you review any other cases  5      or any other investigations?  6      A. No, I did not.  7      Q. We're going to talk to you about just  8      some general background. This will be very  9      quick, but things I need to ask you. What is  10     your highest level of education that you  11     received?  12     A. A bachelor's degree.  13     Q. And in what subject or what major?  14     A. Psychology.  15     Q. Do you have any postgraduate work at  16     all.  17     A. No.  18     Q. And where did you get your degree  19     from?  20     A. Lincoln University.  21     Q. That's in Jefferson City?  22     A. It is.  23     Q. And in what year was that?  24     A. 1993.  25     Q. Where are you currently employed?</p>	<p>1      the investigators for Office of Professional  2      Standards.  3      Q. And remind me what year did that  4      happen where you became PREA manager?  5      A. June 1st, 2017.  6      Q. Am I right in saying that the jobs of  7      PREA coordinator are still your job that was  8      consumed in your new title; is that right?  9      A. Still my job, yes. I do both.  10     Q. When did you first start working at  11     the Missouri Department of Corrections?  12     A. I started in December 1st, 1998.  13     Worked here for two years in a prison setting,  14     left, went to Department of Mental Health for  15     five years and came back in 2005, January, I  16     think.  17     Q. And the first time you were at DOC,  18     what position did you have?  19     A. I was a case manager.  20     Q. And when you came back the second  21     time, how did you come in? What position?  22     A. Reentry coordinator.  23     Q. Have you ever been a corrections  24     officer?  25     A. I have not.</p>

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<p>1        A. Yes.</p> <p>2        Q. And tell me about that? Where do you</p> <p>3        go to give training and what does it look like?</p> <p>4        A. I train all what we call – the</p> <p>5        deputy wardens that are the site coordinators, I</p> <p>6        do those trainings, until COVID, a couple of</p> <p>7        times a year. We have one coming up in May. All</p> <p>8        the deputy wardens that are involved in PREA</p> <p>9        comes in and we start from beginning and go</p> <p>10       through how to do your job as a PREA coordinator.</p> <p>11       I've been involved in training</p> <p>12       investigators. When PREA first started, we</p> <p>13       developed training and trained all of the</p> <p>14       investigators.</p> <p>15       Q. And do you personally give the class</p> <p>16       and do the training?</p> <p>17       A. Which time?</p> <p>18       Q. Any of them?</p> <p>19       A. Yes. Whenever I do the deputy</p> <p>20       wardens, yes, for sure. And whenever I was</p> <p>21       involved in the first and second training, I was</p> <p>22       part of the team that presented, yes.</p> <p>23       Q. You said it kind of quickly. I think</p> <p>24       you said deputy warden PREA coordinator?</p> <p>25       A. Yes.</p>	<p>1        counsel, one of them.</p> <p>2        Q. And who does he report to?</p> <p>3        A. Our director, Director Precythe.</p> <p>4        Q. Is there any part in the flowchart,</p> <p>5        any duties, responsibilities where you report</p> <p>6        directly to the director?</p> <p>7        A. No.</p> <p>8        Q. How often do you have contact with</p> <p>9        Director Precythe would you say?</p> <p>10       A. Periodically. I have a meeting this</p> <p>11       afternoon with her. We have other initiatives</p> <p>12       going on where I'm in meetings with her, but not</p> <p>13       often. A few times a year whenever need be.</p> <p>14       Q. Is your meeting today about these</p> <p>15       cases?</p> <p>16       A. It is not. It is about the audits.</p> <p>17       Q. Okay. I had to case. I'm just doing</p> <p>18       my job. So let's break that down a little bit</p> <p>19       more. In any given month, how often would you</p> <p>20       say you have an in-person meeting with Director</p> <p>21       Precythe or you're present in a meeting where</p> <p>22       she's present?</p> <p>23       A. I would say once every three months</p> <p>24       maybe.</p> <p>25       Q. That you're in a meeting where she's</p>
<p style="text-align: center;">Page 30</p> <p>1        Q. Is that one person or is that two</p> <p>2        people?</p> <p>3        A. I'm sorry. Each prison has two</p> <p>4        deputy wardens and one of the deputy wardens has</p> <p>5        been selected as the site coordinator, and so</p> <p>6        he's the deputy warden/PREA coordinator and he</p> <p>7        coordinates the activities in his facility to</p> <p>8        ensure compliance.</p> <p>9        Q. But he or she would be the PREA site</p> <p>10       coordinator?</p> <p>11       A. Yes.</p> <p>12       Q. Have you ever written any articles or</p> <p>13       papers about PREA?</p> <p>14       A. No.</p> <p>15       Q. Have you developed yourself any of</p> <p>16       the training materials, PowerPoint, slides or</p> <p>17       handouts or that sort of thing?</p> <p>18       A. Yes.</p> <p>19       Q. Ms. Sturm, who is your direct</p> <p>20       supervisor? Who do you report to?</p> <p>21       A. Matt Briesacher.</p> <p>22       Q. And Mr. Briesacher, we've heard his</p> <p>23       name a lot. What is his title?</p> <p>24       A. He is the director of OPS, Office of</p> <p>25       Professional Standards, and also our legal</p>	<p style="text-align: center;">Page 32</p> <p>1        present?</p> <p>2        A. Yes.</p> <p>3        Q. Are there any times where it's just</p> <p>4        the two of you?</p> <p>5        A. Today it will only be just the two of</p> <p>6        us, but very seldomly. Normally it's a group</p> <p>7        meeting.</p> <p>8        Q. How often would you say you have</p> <p>9        e-mail communications where Director Precythe is</p> <p>10       on an e-mail either copied or she's the recipient</p> <p>11       or she's sending e-mail to you?</p> <p>12       A. Not often. I don't know the answer</p> <p>13       to that.</p> <p>14       Q. Are you aware of any e-mails that you</p> <p>15        and Ms. Precythe have both been on regarding any</p> <p>16        of these cases?</p> <p>17       A. No.</p> <p>18       Q. Have you had any conversations with</p> <p>19        Ms. Precythe about any of these cases?</p> <p>20       A. No.</p> <p>21       Q. Can you tell me why that is?</p> <p>22       A. Because I report to Matt Briesacher.</p> <p>23       Q. Do you know if she's had any</p> <p>24        conversations with Ms. Precythe about these</p> <p>25        cases?</p>

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<p>1        A. I do not.</p> <p>2        Q. What conversations have you had with</p> <p>3        Mr. Briesacher about these cases?</p> <p>4        A. Not much. This was in 2017. That's</p> <p>5        quite a long time ago. The only conversation,</p> <p>6        the most recent I can recall is whenever we</p> <p>7        administratively closed some cases because the</p> <p>8        FBI was involved in them.</p> <p>9        Q. We're going to talk about that.</p> <p>10      A. Okay.</p> <p>11      Q. I'm going to ask you about lawsuits.</p> <p>12      If a female offender files a PREA lawsuit</p> <p>13      alleging sexual abuse, sexual assault against a</p> <p>14      corrections officer in Missouri, do you get told</p> <p>15      about that, or does that information get to you</p> <p>16      when there's a lawsuit?</p> <p>17      A. Normally not, no. Only if I'm going</p> <p>18      to be deposed.</p> <p>19      Q. So if a corrections officer is sued</p> <p>20      by a female offender and we know it goes to the</p> <p>21      Attorney General's office from the legal side,</p> <p>22      but who within DOC gets told about the lawsuit as</p> <p>23      you know?</p> <p>24      A. Matt Briesacher.</p> <p>25      Q. Is there anybody else?</p>	<p>1        A. Based on what is needed. Whenever it</p> <p>2        is an audit year, I go for a mock audit. I go</p> <p>3        back for the audit. I'm onsite during all of</p> <p>4        that. If we have issues going on in the prisons,</p> <p>5        I could go and meet with staff to train them.</p> <p>6        Q. Okay. We're going to talk about the</p> <p>7        investigators whom you supervise. Other than the</p> <p>8        investigators, do you supervise anybody else?</p> <p>9        A. I have a clerical staff member, my</p> <p>10      administrative assistant, and I have my</p> <p>11      assistant – my assistant PREA manager, but he's</p> <p>12      also an investigator and he helps supervise the</p> <p>13      investigators.</p> <p>14      Q. And who is that?</p> <p>15      A. Darren Snellen.</p> <p>16      Q. I'm going to read you some names and</p> <p>17      I want you to briefly describe your relationship</p> <p>18      to them within DOC and how you work together.</p> <p>19      A. Okay.</p> <p>20      Q. And I believe he's no longer there,</p> <p>21      but an investigator named Shreve Bentley?</p> <p>22      A. Yes, he worked for me.</p> <p>23      Q. And is it true that he is no longer</p> <p>24      at DOC?</p> <p>25      A. It is true.</p>
<p style="text-align: center;">Page 34</p> <p>1        A. I have no idea.</p> <p>2        Q. Do you know if the director gets told</p> <p>3        about lawsuits?</p> <p>4        A. I have no idea.</p> <p>5        Q. What if there's multiple lawsuits</p> <p>6        against a corrections officer? Do more people</p> <p>7        get involved if there are multiple lawsuits?</p> <p>8        A. I have no idea.</p> <p>9        Q. At some point you became aware that</p> <p>10      Mr. Bearden, a corrections officer, was being</p> <p>11      sued; is that right?</p> <p>12      A. Yes.</p> <p>13      Q. We'll come back to that in a minute.</p> <p>14      Ms. Sturm, I want to clear up some of</p> <p>15      the early basics and then we'll move on. In your</p> <p>16      position as PREA manager now, do you travel to</p> <p>17      the various prisons or do you stay in Jeff City?</p> <p>18      A. I travel.</p> <p>19      Q. How often have you in the last year,</p> <p>20      would you say, that you've been in the women's</p> <p>21      prisons?</p> <p>22      A. I have not this last year.</p> <p>23      Q. And I know with the virus it's not</p> <p>24      the safest thing to do. Before the virus, how</p> <p>25      often would you have gone to the women's prisons?</p>	<p style="text-align: center;">Page 36</p> <p>1        Q. Do you know why he left?</p> <p>2        A. He got a really good job with the</p> <p>3        National Guard.</p> <p>4        Q. Okay. All right. And so you</p> <p>5        supervised Mr. Bentley; is that right?</p> <p>6        A. I did, yes.</p> <p>7        Q. Would you have been his supervisor</p> <p>8        when he investigated John Dunn?</p> <p>9        A. Yes.</p> <p>10      Q. Would you have been his supervisor</p> <p>11      when he investigated Mr. Bearden with Karen</p> <p>12      Backues' allegations?</p> <p>13      A. Yes.</p> <p>14      Q. Did you supervise Mr. Bentley when he</p> <p>15      investigated anything else about Mr. Bearden?</p> <p>16      A. That's vague. I don't know.</p> <p>17      Q. Okay.</p> <p>18      A. There could have been investigations</p> <p>19      before I was ever in this position. I have no</p> <p>20      idea.</p> <p>21      Q. I understand that. Do you remember</p> <p>22      supervising Mr. Bentley when he investigated any</p> <p>23      of the women we've mentioned already as</p> <p>24      plaintiffs in these lawsuits?</p> <p>25      A. I can't recall.</p>

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<p>1      City Star article about Lynnsey Betz' lawsuit?  2      A. I don't recall.  3      Q. And is a newspaper story about a  4      lawsuit a reason that you would start an  5      investigation?  6      A. Yes, if there's a new victim.  7      Q. Or June 5th of 2018, were you aware  8      of any other investigation of Mr. Bearden at that  9      time?  10     A. Probably at that time. Today, I'm  11     not. I can't be for sure.  12     Q. When did you become aware that Karen  13     Kiel, also known as Karen Backues, had also filed  14     a lawsuit against Mr. Bearden?  15     A. I have no idea.  16     Q. Do you know -- so you don't know if  17     before June 5th you become aware of that?  18     A. No, I do not know that.  19     Q. What I'm trying to figure out is who  20     connects the dots at DOC? If there's multiple  21     lawsuits against the same corrections officer who  22     is watching that to say, hey, we may have a  23     problem?  24     A. Lawsuits or investigations?  25     Q. Let's talk about lawsuits.</p>	<p>1      A. It looks like June 14th, 2018.  2      Q. So when you assigned the  3      investigation regarding Lynnsey Betz after the  4      Kansas City Star article about Mr. Bearden, were  5      you aware that Ms. Pfeifer had an ongoing  6      investigation regarding Mr. Bearden as well?  7      A. What was the date on the assignment  8      of the other case? I don't recall.  9      Q. I think it was June 5th, June 8th.  10     June 5th or 8th. It was a little bit before  11     this. We can go back to it if you want.  12     A. That's fine. I'm assuming I did  13     know, yeah.  14     Q. Did your assignment of the  15     investigation regarding Lynnsey Betz, in that  16     assignment did you say anything to the  17     investigators about looking at ongoing  18     investigations of Mr. Bearden?  19     A. I don't have to. They do that all of  20     the time. It's standard practice. Was it  21     standard practice in 2018 with this investigator?  22     I don't know. It should be.  23     Q. Okay.  24     A. Have you looked?  25     Q. No.</p>
<p style="text-align: center;">Page 90</p> <p>1      A. Lawsuits, it would be Matt  2      Briesacher.  3      Q. And what about if there are multiple  4      connections, whose job is it to connect the dots  5      and say we've got three investigations of Mr.  6      Bearden, we've got a problem?  7      A. We know. The investigators know.  8      The PREA unit knows. It's -- like I mentioned  9      before, it's in every one of the reports, all the  10     open investigations, all the closed  11     investigations concerning a PREA allegation will  12     be noted in the report.  13     Q. Let's look at Exhibit 6. Do you see  14     Exhibit 6 on your screen?  15     A. I do, yes.  16     Q. Okay. Are you familiar with this  17     form or this investigation?  18     A. Well, it's an investigative report  19     done by Carrie and Adam. I -- let's see. Who is  20     that? It looks like Karen Backues and CO  21     Bearden. That's really all I know about it.  22     Q. Have you seen this before today?  23     A. Not that I recall, no.  24     Q. What is the date of this report? Can  25     you tell?</p>	<p style="text-align: center;">Page 92</p> <p>1      A. Okay.  2      Q. This is the end of this report.  3      A. Right.  4      Q. And on the summary, it seems to say  5      Backues claims she was sexually abused by Bearden  6      upward of 20 times over a six-year period and  7      then it says Backues wasn't able to recall any  8      specific date and time; do you see that?  9      A. I do see that.  10     Q. And this was unsubstantiated,  11     correct?  12     A. Exactly.  13     Q. Do you know the reasons this report  14     was unsubstantiated?  15     A. From the finding section, it looks  16     like there was absolutely no evidence other than  17     Ms. Backues' testimony. That's it. There's no  18     evidence. There's no dates, there's no times.  19     It's a late report.  20     Q. So when a woman says a guard raped  21     her, you say that there's no evidence, right?  22     MR. BUCHHEIT: Objection,  23     argumentative. Calls for facts not in evidence.  24     A. It's not enough. It's not enough  25     just to get -- if we substantiated every report</p>

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